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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,692	12/16/2003	Tetsushi Kawamura	246598US3	3554
22850	7590	11/02/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				ELLINGTON, ALANDRA
ART UNIT		PAPER NUMBER		
2855				DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/735,692	KAWAMURA ET AL.	
	Examiner	Art Unit	
	Alandra Ellington	2855	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-4 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 16 December 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/16/03, 3/30/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Otake et al (5,595,939).

a. With respect to Claim 1, Otake et al discloses a pressure sensor including a semiconductor device 1,2 capable of detecting a pressure, a terminal 8 that is connected to the semiconductor device 1,2 by a bonding wire 11, a housing 4 having an accommodation space for accommodating the semiconductor device 1,2, bonding wire 11 and the terminal 8, a diaphragm 5 for sealing the accommodation space, working fluid 7 that is sealed in the accommodation space, and transmits the pressure applied to the diaphragm 5 to the semiconductor device 1,2, wherein the working fluid 7 is a silicone-based oil, and the terminal 8 and the housing 4 are sealed by a fluorine-based adhesive 7,10 (col. 3 lines 33-62, col. 4 lines 5-8 {Figs. 1-2B}).

b. With respect to Claim 2, Otake et al discloses a pressure sensor including a semiconductor device 1,2 that is capable of directly detecting a pressure, a terminal 8 that is connected to the semiconductor device 1,2 by a bonding wire 11, and a housing 4 having an accommodation space for accommodating the

semiconductor device 1,2, the bonding wire 11 and the terminal 8, wherein the terminal 8 and the housing 4 are sealed by a fluorine-based adhesive 7,10 (col. 3 lines 33-36, 40-62, col. 4 lines 5-8 {Figs. 1-2B}).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otake et al (5,595,939).

a. With respect to Claims 3 and 4, Otake et al discloses the claimed invention except for a perfluoro polyether resin composition being the fluorine-based adhesive. However, Otake et al teaches an adhesive agent 10 that includes dimethyl silicone or fluoro filler material (col. 3 lines 35-45, 51-62). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a perfluoro polyether resin composition as an adhesive, since it has been held to be within the general skill of a worker in the art to use a perfluoro polyether resin composition as an adhesive to ensure the integrity of the airtight seal between the terminal and housing (col. 3 lines 35-45, 51-62). *MPEP 2144.04.*

Conclusion

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5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Shimada et al (3,817,107) discloses a semiconductor pressure transducer.
- b. Tanner et al (4,675,643) discloses a pressure transducer utilizing a transduction element.
- c. Kato (5,335,549) discloses a semiconductor pressure sensor.
- d. Yamagishi et al (6,298,730) discloses a pressure sensor.
- e. Weise et al (6,453,747) discloses a hermetic pressure transducer.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alandra Ellington whose telephone number is (571) 272-2178. The examiner can normally be reached on Monday - Friday, 7:30am - 4:00pm.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (571) 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2855

Alandra Ellington
Art Unit 2855

(A)

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EDWARD LEFKOWITZ
SUPERVISORY PATENT EXAMINER
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